



Bob Holden, Governor • Stephen M. Mahfood, Director

DEPARTMENT OF NATURAL RESOURCES

www.dnr.state.mo.us

September 29, 2003

Mr. Jeff Klieve, Chair
Performance Track Participants Association
One Thomas Circle, NW Tenth Floor
Washington, DC 20005

Dear Mr. Klieve:

I appreciated receiving your letter regarding the Performance Track Participants Association and the concern that the incentive opportunities offered by the Environmental Protection Agency are less meaningful if the states do not support them. The Missouri Department of Natural Resources is in the early stages of implementing a program to encourage the development and implementation of environmental management systems. We call the program the Missouri Environmental Management Partnership.

Our program, similar to EPA Performance Track and programs in other states, has a series of recognition and regulatory incentives associated with membership. We will offer and provide incentives related to permitting including approaches to expedite permit review and issuance, ease the reporting requirements and other flexible measures. We will also provide a form of enforcement mitigation for self-reported violations.

To this point, we have not identified low inspection priority as an incentive associated with our program. Part of the reason for this is that EPA strongly influences our agency's basic inspection priorities, especially for the larger facilities, as part of our on-going Performance Partnership Grant requirements. The idea of reducing inspection frequency has been proposed by the department in the past as a means of better managing limited staff resources and EPA expressed concerns about our doing so.

There is an internal steering committee for the Missouri Environmental Management Partnership. The committee is responsible for evaluating program-related incentives. I will direct this matter to that group and request they consider the low inspection priority concept as an incentive to be associated with our program. Also, I will ask that the steering committee work



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with staff responsible for inspection and enforcement activities to determine whether and how the department can support the low inspection priority concept in the context of our agreements with EPA and the regulatory work that we do as a delegated state.

Again, I appreciate the opportunity to consider and comment on this matter.

Sincerely,

DEPARTMENT OF NATURAL RESOURCES



Stephen Mahfood
Director